

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable James A. Ardaiz, Presiding Justice; Honorable Dennis A. Cornell, Associate Justice; Honorable Betty L. Dawson, Associate Justice; and Kay Frauenholtz, Clerk/Administrator, by Rosemary Heredia, Assistant Deputy Clerk.

F044895 Maldonado et al. v. Jiminez et al.

Cause called and argued by Matthew D. Haley, Esq., counsel for appellants and by D. Lee Hedgepeth, Esq., counsel for respondents.

Cause ordered submitted.

Court recessed until Tuesday, January 11, 2005 at 10:00 A.M.

F044002 People v. Williams

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F043907 Seeser v. Merced County et al.

Appellant's petition for rehearing filed herein is denied.

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- F043720 People v. Daugherty**
The judgment is affirmed. Wiseman, J.
We concur: Dibiaso, Acting P.J.; Buckley, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F044029 People v. Epiceno**
The judgment is affirmed. Wiseman, J.
We concur: Dibiaso, Acting P.J.; Buckley, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F044449 People v. Law**
The judgment is affirmed. Wiseman, J.
We concur: Dibiaso, Acting P.J.; Buckley, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F045644 In re Johnnie H., a Minor**
The above-entitled case is submitted for decision.
- F045644 In re Johnnie H., a Minor**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F045961 People v. Johnson**
The above-entitled case is submitted for decision.

IN THE
Court of Appeal of the State of California

IN AND FOR THE
Fifth Appellate District

F045961 People v. Johnson

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F043772 Hardcastle v. Bank of America et al.

Hardcastle's appeal against FATCO is dismissed as untimely. The judgment in favor of Bank is reversed. The matter is remanded for the superior court to (1) vacate its order sustaining the general demurrer without leave to amend with respect to Bank, and (2) to reconsider its costs from Hardcastle. Between Hardcastle and Bank, each party shall bear his/its own costs. Wiseman, J.

We concur: Dibiaso, Acting P.J.; Buckley, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F043886 People v. Anderson

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F043886 People v. Anderson

The court's orders during the July 15, 2003, hearing are affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F045017 People v. Espinoza

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

IN THE
Court of Appeal of the State of California

IN AND FOR THE
Fifth Appellate District

F045017 People v. Espinoza

The judgment is affirmed with modifications.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F046562 Eric S. v. Superior Court of Fresno County; Fresno County Dept. of
Children & Family Services**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F046562 Eric S. v. Superior Court of Fresno County; Fresno County Dept. of
Children & Family Services**

The petition for extraordinary writ is denied. This opinion is final forthwith as to this court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F044102 People v. Freudiger

Appellant's conviction in count 2 is reversed; the sentence imposed in count 7 is ordered stayed pursuant to section 654; the trial court is ordered to amend the abstract of judgment accordingly. In all other respects, the judgment is affirmed. Dawson, J.

We concur: Levy, Acting P.J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]